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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,147	01/21/2002	Nobuhiro Itoh	2271/66652	5134
7590	07/11/2006			EXAMINER WORKU, NEGUSSE
RICHARD F. JAWORSKI Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036			ART UNIT 2625	PAPER NUMBER

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/054,147	ITOH, NOBUHIRO
	Examiner	Art Unit
	Negussie Worku	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 April 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
- 1.) Certified copies of the priority documents have been received.
 - 2.) Certified copies of the priority documents have been received in Application No. _____.
 - 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
PRIMARY EXAMINER

Attachment(s)

- 1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. Applicant's arguments with respect to claims 1 and 5 have been reviewed and respectfully considered, the arguments are not found persuasive, and therefore, the this Office action is final.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-13, are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (USP 5,465,163) in view of Goldberg et al. (USP 6,223,181).

Regarding to claim 1, Yoshihara teaches or discloses a facsimile device (a image reading device of fig 1 and 2) comprising: inputting means (image reading unit 20 of fig 2) for inputting image data of a subject copy having a width in a main scanning direction larger than an A3-size width, said inputting means including scanner means to scan the subject copy having a size larger than the A3-size, see (col.6, lines 14-25); reading means (scanner 20 of fig 1 and 2) for divisively reading lines of said image data in a sub-scanning direction by dividing said image data into divisional lines of data having a

predetermined width, (as shown in fig 5, one image original is divided and is read in four reading portion, col.5, lines 35-40).

Yoshihara, does not disclose image rotating means for performing an image rotation with respect to each of said divisional lines of data so as to supply rotated divisional lines; an encoding means for encoding each of said rotated divisional lines into encoded data; and outputting means for outputting said encoded data.

Goldberg et al. in the same area of image reading and processing apparatus teaches image rotating means (image processing module 10, comprises a rotation module 20) for performing an image rotation with respect to each of said divisional lines of data so as to supply rotated divisional lines (col.3, lines 20-30); an encoding means (encoder/decoder module 18 of 1A) for encoding each of said rotated divisional lines into encoded data, col.3, lines 30-40); and outputting means (6 of fig 1A) for outputting said encoded data, (col.3, lines 1-5).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus of Yoshihara et al. to include: image rotating means for performing an image rotation with respect to each of said divisional lines of data so as to supply rotated divisional lines; an encoding means for encoding each of said rotated divisional lines into encoded data; and outputting means for outputting said encoded data.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging device of Yoshihara et al. by the

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teaching of Goldberg et al., for the purpose to provide a system for performing rotation of an image, that is capable of reducing the memory needed for rotation while providing flexibility in image transmission and processing techniques that can be used to reconstruct the image.

Regarding to claim 2, Yoshihara teaches or discloses a facsimile device (a image reading device of fig 1 and 2), wherein said reading means (image reading device 20 of fig 3) divisively reads said lines of said image data in said sub-scanning direction by scanning a plurality of areas [original is divided and is read in plurality of area, col.5, line 35] of said image data sharing an overlapping width predetermined in said sub-scanning direction, (col.5, line 35-37, [overlap areas and broken lines, col.6, lines 14-25]).

Regarding to claim 3, Yoshihara teaches or discloses a facsimile device (a image reading device of fig 1 and 2), wherein said reading means (20 of fig 3) divisively reads said lines of said image data in said sub-scanning direction by dividing said image data of the subject copy at a predetermined page [original is divided and is read in plurality of area, col.5, line 35] into said divisional lines of data (col.5, lines 40-45)

Regarding to claim 4, Yoshihara teaches or discloses a facsimile device (a image reading device of fig 1 and 2), wherein said reading means (20 of fig 3) reductively reads image data of a subject copy having a width larger than said A3-size width by reducing said image data as a whole to said A3-size width, (col.6, lines 14-18) when

said subject copy is not at a page to be divisively read, [original is divided and is read in plurality of area, col.5, line 35] (col.5, lines 40-45).

Regarding to claim 5, Yoshihara teaches or discloses a facsimile device (a image reading device of fig 1 and 2) a method comprising: inputting step (image reading unit 20 of fig 2) of inputting image data of a subject copy having a width in a main scanning direction larger than an A3-size width, inputting means including scanner means to scan the subject copy having a size larger than the A3-size, see (col.6, lines 14-25), see (col.6, lines 14-25); reading step (scanner 20 of fig 1 and 2) for divisively reading lines of said image data in a sub-scanning direction by dividing said image data into divisional lines of data having a predetermined width, (as shown in fig 5, one image original is divided and is read in four reading portion, col.5, lines 35-40).

Yoshihara does not disclose image rotating step for performing an image rotation with respect to each of said divisional lines of data so as to supply rotated divisional lines; an encoding step for encoding each of said rotated divisional lines into encoded data; and outputting means for outputting said encoded data.

Goldberg et al. in the same area of image reading and processing apparatus teaches image rotating means (image processing module 10, comprises a rotation module 20) for performing an image rotation with respect to each of said divisional lines of data so as to supply rotated divisional lines (col.3, lines 20-30); an encoding means (encoder/decoder module 18 of 1A) for encoding each of said rotated divisional lines

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into encoded data, col.3, lines 30-40); and outputting means (6 of fig 1A) for outputting said encoded data, (col.3, lines 1-5).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus of Yoshihara et al. to include: image rotating means for performing an image rotation with respect to each of said divisional lines of data so as to supply rotated divisional lines; an encoding means for encoding each of said rotated divisional lines into encoded data; and outputting means for outputting said encoded data.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging device of Yoshihara et al. by the teaching of Goldberg et al., for the purpose to provide a system for performing rotation of an image, that is capable of reducing the memory needed for rotation while providing flexibility in image transmission and processing techniques that can be used to reconstruct the image.

Regarding to claim 6, Yoshihara teaches or discloses the method (a image reading device of fig 1 and 2), wherein said reading step (image reading device 20 of fig 3) divisively reads said lines of said image data in said sub-scanning direction by scanning a plurality of areas [original is divided and is read in plurality of area, col.5, line 35] of said image data sharing an overlapping width predetermined in said sub-scanning direction, (col.5, line 35-37, [overlap areas and broken lines, col.6, lines 14-25]).

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Regarding to claim 7, Yoshihara teaches or discloses the method (a image reading device of fig 1 and 2), wherein said reading step (20 of fig 3) divisively reads said lines of said image data in said sub-scanning direction by dividing said image data of the subject copy at a predetermined page [original is divided and is read in plurality of area, col.5, line 35] into said divisional lines of data (col.5, lines 40-45)

Regarding to claim 8, Yoshihara teaches or discloses the method (a image reading device of fig 1 and 2), wherein said reading step (20 of fig 3) reductively reads image data of a subject copy having a width larger than said A3-size width by reducing said image data as a whole to said A3-size width, (col.6, lines 14-18) when said subject copy is not at a page to be divisively read, [original is divided and is read in plurality of area, col.5, line 35] (col.5, lines 40-45).

With respect to claim 9, Yoshihara et al. teaches the facsimile device (fig 1-3) wherein said reading means (read image 20 of fig 3) detects whether the width of said subject copy in the main scanning direction is larger than an A3-size width, (co.5, lines 5, 30-35) and if the width of said subject copy is larger than an A3-size width, (original image fig 6(1), which is larger in size than A3-size divided in four portion, reduce into one image having the size of A3-size image, col.6, lines 150 20) automatically dividing said subject copy in the sub-scanning direction into at least two portions (fig 5, a divided original image into four different portion).

With respect to claim 10, Yoshihara et al. teaches the facsimile device (fig 1-3), further comprising user operation means, (operation unit 10 of fig 1) wherein a user specifies a page dividing mode through said user operation means, (col.4, lines 5-10) and said reading means (20 of fig 1) performs said automatic dividing if the user specifies said page dividing mode, (col.4, lines 55-60).

With respect to claim 11, Yoshihara et al. teaches the facsimile device (fig 1-3), wherein the divisional lines of data (col.4, lines 60-65) corresponding to the encoded data out by said outputting means (image out put 40 of fig 3) are un-changes in scale (the outputted image is not changed in size, (col.6, line 45-50)).

With respect to claim 12, Yoshihara et al. teaches the facsimile device (fig 1-3), wherein, the at leas two portions of the subject copy are automatically determined according to an overlapping width specilied by an operator (col.6, lines 14-25).

With respect to claim 13, Yoshihara et al. teaches the facsimile device (fig 1-3), wherein said reading means detects whether the size of the subject copy is larger than the A3-size, and if the size of the subject copy is larger than the A3-size, (col.6, lines 14-25) the subject copy is automalically divided into at leasltwo z'ead areas according to an overlapping width specised by an operator (col.5, lines 35-40).

Response to the arguments

4. Applicant's response filed April 25, 2006, has been reviewed and respectfully considered as indicated in the Office action discussed above. However, the rejection to the amended application has been maintained for the reason as follows:

a) Examiner believes that the prior art used to reject the application still read on the amended claims, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

b) The amended claimed limitation are still taught by the reference because the amended claimed limitation do not clearly point out the patentable novelty which applicant thinks the claims present in view of the state of the art disclosed by the references cited.

c) The claimed limitation does not show how the amendments avoid such references or objections, and/or how the claims define a patentable invention specifically pointing out how the language of the claims patentably distinguishes them from the references.

Therefore, the rejection to claims 1 through 13, have been maintained, and this Office action is final, necessitated by applicant's amendment.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 57272-7472. The examiner can normally be reached on 9am-6pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moore, David can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Negussie Worku

06/27/06

**DOUGLAS Q. TRAN
PRIMARY EXAMINER**

